

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KAREEM S. PERRY,

Plaintiff,

-against-

9:08-CV-0602 (LEK/ATB)

BRIAN S. FISCHER, *et al.*,

Defendants.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on March 2, 2010 by the Honorable Andrew T. Baxter, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3 of the Northern District of New York. Report-Rec. (Dkt. No. 87). After ten days from the service thereof, the Clerk has sent the entire file to the undersigned, including Plaintiff Kareem Perry's Objections, (Dkt. No. 92) ("Objections"), which were filed on March 26, 2010.¹

It is the duty of this Court to "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b). "A [district] judge . . . may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.* This Court has considered the Objections and has undertaken a de novo review of the record and has determined that the Report-Recommendation should be approved for the reasons stated

¹Plaintiff was granted an extension of time to file his Objections pursuant to his March 9, 2010 Letter Motion. Dkt. No. 89.

therein.

Accordingly, it is hereby

ORDERED, that the Report-Recommendation (Dkt. No. 87) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

ORDERED, that Defendants' Motion for sanctions and to dismiss the Amended Complaint (Dkt. No. 56) is **GRANTED**; and it is further

ORDERED, that; Plaintiff's Amended Complaint (Dkt. No. 24) is **DISMISSED** in its entirety **with prejudice**; and it is further

ORDERED, that Plaintiff's *in forma pauperis* status is revoked, and he is ordered to pay any balance on his \$350 filing fee immediately; and it is further

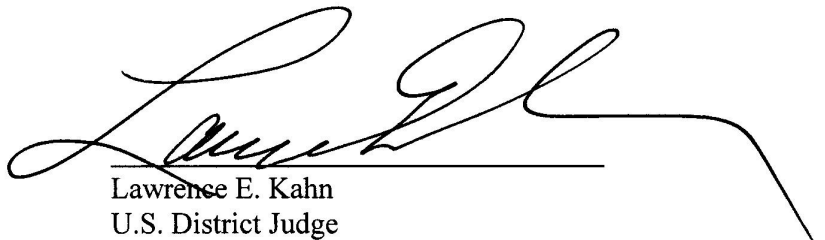
ORDERED, that Plaintiff's Motion for summary judgment (Dkt. No. 50) is **DENIED** as moot; and it is further

ORDERED, that Plaintiff's various discovery and procedural Motions (Dkt. Nos. 67, 72, 74-76, 82) are **DENIED** as moot; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: March 31, 2010
Albany, New York



Lawrence E. Kahn
U.S. District Judge